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REGULATORY AUTH.  
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EXECUTIVE SECRETARY  
NO Filing Fee

June 28, 1999

**VIA OVERNIGHT MAIL**

Mr. David Waddell, Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37219

99.00 493

Re: Intellicall Operator Services, Inc. ("IOS")

Dear Mr. Waddell:

This letter is to formally notify the Tennessee Regulatory Authority (the "TRA") that IOS, a Delaware corporation certificated to provide local exchange telecommunications service within the State of Tennessee,<sup>1</sup> has adopted the assumed name "ILD". In the future, IOS will conduct business as "Intellicall Operator Services, Inc. d/b/a ILD". Documents evidencing IOS' registration of this assumed name with the Tennessee Secretary of State are attached hereto at Exhibit "A".


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In addition, enclosed please find the following:

- (i) IOS' Small and Minority-owned Business Participation Plan, pursuant to Section 65-5-212 of the Tennessee Code (attached hereto at Exhibit "B"); and
- (ii) IOS' IntraLATA Toll Dialing Parity Plan (attached hereto at Exhibit "C").

Finally, we have included fourteen (14) copies of the above-described materials. Please file these materials in your usual fashion and return one (1) file-stamped copy to us in the enclosed envelope.

Sincerely,

  
Michael K. Stewart

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<sup>1</sup>The TRA previously granted a Certificate of Authority to resell local exchange telecommunications services within the State of Tennessee to Interlink Telecommunications, Inc., IOS' predecessor-in-interest, in Case No. 97-0916 dated July 9, 1997. The TRA approved the merger of IOS and Interlink in Case No. 98-00008 dated August 7, 1998.

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**ATTORNEYS AT LAW**

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Enc.

cc: B. Reid Presson, Jr.  
Intellicall Operator Services, Inc.  
(with enclosure)  
Charles A. Hudak, Esq.  
(without enclosure)

**EXHIBIT "A"**

**REGISTRATION OF ASSUMED NAME**

# Secretary of State

## Corporations Section

James K. Polk Building, Suite 1800  
Nashville, Tennessee 37243-0306

DATE: 05/27/99  
REQUEST NUMBER: 3689-0913  
TELEPHONE CONTACT: (615) 741-2286  
FILE DATE/TIME: 05/27/99 0925  
EFFECTIVE DATE/TIME:  
CONTROL NUMBER: 0261863

TO:  
CT CORPORATION SYSTEM  
350 NO. ST. PAUL  
DALLAS, TX 75201

RE:  
ILD  
APPLICATION FOR REGISTRATION OF ASSUMED CORPORATE  
NAME

THIS WILL ACKNOWLEDGE THE FILING OF THE ATTACHED ASSUMED NAME  
REGISTRATION FOR A FIVE YEAR PERIOD BEGINNING WITH AN EFFECTIVE DATE AS  
INDICATED ABOVE.

THE CORPORATION MAY RENEW THE RIGHT TO USE THIS NAME WITHIN TWO  
(2) MONTHS PRECEDING THE EXPIRATION OF SUCH RIGHT, FOR A PERIOD OF FIVE (5)  
YEARS, BY FILING AN APPLICATION WITH THE SECRETARY OF STATE.

WHEN CORRESPONDING WITH THIS OFFICE OR SUBMITTING DOCUMENTS FOR  
FILING, PLEASE REFER TO THE CORPORATION CONTROL NUMBER GIVEN ABOVE.

FOR: APPLICATION FOR REGISTRATION OF ASSUMED CORPORATE NAME ON DATE: 04/19/99

FROM:  
HAI-GAR SERVICE CO., INC.  
214 19TH AVE. NO.

NASHVILLE, TN 37203-0000

	RECEIVED:	FEES
	\$70.00	\$0.00
TOTAL PAYMENT RECEIVED:	\$70.00	

RECEIPT NUMBER: 00002485865  
ACCOUNT NUMBER: 00157512



*Riley C. Darnell*

RILEY C. DARNELL  
SECRETARY OF STATE

**EXHIBIT "B"**

**SMALL AND MINORITY-OWNED BUSINESS PARTICIPATION PLAN**

**INTELLICALL OPERATOR SERVICES, INC. d/b/a ILD**

**SMALL AND MINORITY-OWNED  
TELECOMMUNICATIONS BUSINESS  
PARTICIPATION PLAN**

Pursuant to Tennessee Code Annotated § 65-5-212, as amended, Intellicall Operator Services, Inc. d/b/a ILD (“IOS”) submits this plan to enhance the participation of small and minority-owned businesses in the telecommunications industry in the State of Tennessee (“Plan”).

## **I. PURPOSE**

The purpose of Section 65-5-212 is to provide opportunities for small and minority-owned telecommunications businesses to provide goods and services to telecommunications service providers within the State of Tennessee. IOS is committed to the goals of Section 65-5-212 and to taking steps to support the participation of small and minority-owned telecommunications businesses in the Tennessee telecommunications market. As such, IOS intends to provide opportunities for small and minority-owned businesses to compete for contracts for goods and services, and to identify and inform small and minority-owned businesses of such opportunities. To this end, IOS intends to obtain a list of qualified vendors from the Department of Economic and Community Development, which administers the small and minority-owned telecommunications business assistance program.

## **II. DEFINITIONS**

As defined in Section 65-5-212, “small business” means a business which has annual gross receipts of less than four million dollars (\$4,000,000). “Minority-owned business” means a small business which is solely-owned, or at least fifty-one percent (51%) of the assets or outstanding stock of which is owned, by an individual who personally manages and controls daily operations of such business, and who is impeded from normal entry into the economic mainstream because of race, religion, sex or national origin.

### III. ADMINISTRATION

The Plan will be overseen and administered by the individual named below (hereinafter referred to as the “Administrator”), who will be responsible for carrying out and promoting IOS’ efforts at providing equal opportunities for small and minority-owned telecommunications businesses. The Administrator of the Plan will be:

David Surette  
2600 Cumberland Parkway, Suite 200  
Atlanta, Georgia 30339  
Tel: (678) 309-1436

The Administrator’s responsibilities will include:

- (i) maintaining an updated Plan in full compliance with Section 65-5-212 and with the rules and regulations of the Tennessee Regulatory Authority (“TRA”);
- (ii) developing and implementing policies and procedures necessary for the Plan’s success at increasing participation by small and minority-owned telecommunications businesses;
- (iii) preparing and submitting such information as may be required by the TRA from time to time, including, *inter alia*, required annual updates;
- (iv) serving as the primary contact point between IOS and the TRA, other agencies of the State of Tennessee and small and minority-owned businesses;
- (v) developing (and encouraging the development of) opportunities for small and minority-owned telecommunications businesses to bid on and participate in IOS contracts; and
- (vi) establishing a recordkeeping system to track IOS’ efforts at encouraging participation by small and minority-owned telecommunications businesses.

In performance of these duties, the Administrator intends to utilize a number of resources, including: the United States Department of Commerce (Small Business Administration and Office



of Minority Business), the Tennessee Department of Economic and Community Development, and local Chambers of Commerce throughout the State of Tennessee. In addition, IOS intends to contact certain coalitions whose mission is to increase minority participation in business (e.g., the National Minority Supplier Development Council, the National Association of Minority Contractors).

#### **IV. RECORDS AND COMPLIANCE REPORTS**

IOS intends to maintain records of (i) qualified small and minority-owned telecommunications businesses, and (ii) IOS' efforts to use the goods and services of such businesses, including internal educational or training activities conducted to implement or to improve the Plan. IOS will submit to the TRA all records concerning the plan which are required by the TRA, and intends to cooperate fully with all surveys, studies or information requests authorized by the TRA.

Dated June 25, 1999.

INTELLICALL OPERATOR SERVICES, INC.  
d/b/a ILD

By: B. Reid Presson, Jr.  
Regulatory Consultant

**EXHIBIT "C"**

**INTRALATA TOLL DIALING PARITY PLAN**

**INTELLICALL OPERATOR SERVICES, INC. d/b/a ILD**

**INTRALATA TOLL DIALING PARITY PLAN**

## **I. INTRODUCTION**

Pursuant to regulations promulgated by the Federal Communications Commission ("FCC"),<sup>1</sup> Intellicall Operator Services, Inc. d/b/a ILD ("IOS") will implement technologies which will give end user customers ("Customer(s)") the opportunity to designate a carrier for their intraLATA toll call traffic in those areas in which IOS is a facilities-based local exchange service provider. Once the Customer has made such a designation, intraLATA toll calls will automatically be directed to the designated carrier without additional action on the part of the Customer (*e.g.*, without requiring the Customer to dial an access code); in addition, Customers will continue to have the option to utilize additional intraLATA toll carriers on a call-by-call basis by dialing access codes.

## **II. METHODOLOGY**

IOS will deploy "multiple Primary Interexchange Carrier ('PIC') technology in its switches. Multiple-PIC technology will allow Customers to presubscribe to the same or different carriers for their intraLATA toll and interLATA service. In addition, IOS will offer Customers the ability to access all participating carriers (who have established themselves as access customers under applicable IOS tariffs) by dialing the appropriate access code (*i.e.*, 10XXX, 101XXXX) when placing individual toll calls. Any tariff affected by this plan will be revised where appropriate, and such revisions will be filed with all applicable regulatory authorities.

## **III. CARRIER INFORMATION**

Carriers will have the option of (i) offering intraLATA toll service only or offering

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<sup>1</sup>47 C.F.R. §51.213(a) (requiring that each local exchange carrier offering exchange service in a state file a plan for providing intraLATA toll dialing parity within the state). *See also* In the Matters of Implementation of the Local Competition Provisions of the Telecommunications Act of 1996 *et al.*, FCC 99-54, CC Docket 96-98 (Order adopted March 19, 1999, released March 23, 1999).

intraLATA toll and interLATA service and (ii) participating in all market areas or only in specific market areas. IOS will notify potential carriers prior to the initial availability of presubscription in a particular market area.

Carriers will be required to return a completed Non-Disclosure and Participation Agreement(s), which will be provided to individual carriers as part of the IOS correspondence process. Carriers wishing to participate will be requested to submit Access Service Requests/Translation Questionnaires to the Access Tandem owner (*i.e.*, the incumbent local exchange carrier (“ILEC”)) and to IOS.

IOS will not participate in billing disputes between the Customer and the alternative carrier arising out of or related to the provision of intraLATA toll services.

#### **IV. NETWORK INFORMATION**

All originating intraLATA toll traffic will initially be routed via the ILEC Access Tandem. Following conversion, direct trunks between the IOS switch and the carrier location(s) may be provisioned where traffic volumes warrant. Each participating carrier must have Feature Group “D” trunks in place (or ordered) between its point of presence and the ILEC Access Tandem(s).

IOS will route all originating intraLATA toll traffic to the designated carrier and will only block traffic at the request of the Customer and/or in compliance with applicable law and regulations. IOS will not honor requests from carriers to block traffic or to remove Customers from the carrier’s network. Calls that cannot be completed to a carrier will be routed to a recorded announcement.

#### **V. CUSTOMER CONTACT INFORMATION**

IOS’ customer contact representatives will process Customer-initiated PIC selections to IOS or to an alternative intraLATA toll carrier as designated by the Customer. In addition, alternative

carriers may submit PIC changes to IOS via a fax/paper interface; in this event, carriers will be required to submit PIC changes using the Customer Account Record Exchange ("CARE") 960-byte format via paper medium. IOS will provide carriers with PIC order confirmation and reject information using the CARE format. Specific details regarding CARE will be provided to participating carriers.

IOS will accept a selection of "NO PIC" as a bona-fide PIC selection; "NO PIC" Customers will have access code dialing capability to reach participating intraLATA toll carriers. IOS will provide Customers with a confirmation notification of their PIC selection.

Upon customer request, IOS' representatives will provide alternative carrier names (and, if supplied by the alternative carrier, telephone numbers) to Customers in random, competitively neutral order. However, IOS' representatives will not discuss alternative carrier rates or services with Customers, nor will they provide Customers with Carrier Identification Codes or access dialing instructions. IOS' representatives will not initiate or accept three-way calls from alternative carriers to discuss presubscription.

## **VI. PRESUBSCRIPTION INFORMATION**

A five dollar (\$5.00) PIC Change Charge will be incurred and billed to the Customer for each eligible line where a PIC change is made. In an effort to reduce unauthorized PIC changes, IOS will offer intraLATA PIC Freeze service to all Customers at no charge. PIC Freeze can only be initiated or removed by the Customer's verbal or written request.

For Customers who change their local service provider from another local exchange carrier ("Other LEC") but retain the telephone number assigned by the Other LEC, IOS, as part of the CARE PIC process, will provide the designated intraLATA carrier with both the retained Other LEC telephone number and the IOS-assigned telephone number

Dated June 25, 1999.

INTELLICALL OPERATOR SERVICES, INC.  
d/b/a ILD

By: B. Reid Presson, Jr.  
Regulatory Consultant